IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 21ST JUNE 2007 / 31ST JYAISHTA 1929

WP(C).No. 17186 of 2003(U)

PETITIONER:

MRS. SANDHYA JOHN, W/O. JACOB CHERIAN,
MANAYATH HOUSE, AMULIA STREET, COCHIN-18, KERALA

BY ADV. SMT.ASHA CHERIAN
SRI.M.C.CHERIAN
SMT.SARAMMA CHERIAN
SRI.E.D.GEORGE
SRI.SABU S.
SRI.SAMEER P.M.

RESPONDENTS:

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1. THE MANAGING DIRECTOR, STATE BANK OF INDIA HOME FINANCE LIMITED, NAGALAND HOUSE, 11 AND 13, SHAKESPEARE SARANI, KOLKATTA- 700 071

2. STATE BANK OF INDIA, REPRESENTED BY ITS CHAIRMAN AND MANAGING DIRECTOR, STATE BANK BHAVAN, MADAME CAMA ROAD, MUMBAI 400 021.

BY ADV. SRI.K.JAYAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON I.A. NO.2486 OF 2003 IN W.P.(C) NO.17186 OF 2003 U

//DISMISSED//

21.06.2007. SD/- THOTTATHIL B.RADHAKRISHNAN, JUDGE.

/TRUE COPY/

THOTTATHIL B.RADHAKRISHNAN, J.

W.P(C).No.17186 OF 2003

Dated this the 21st day of June, 2007

JUDGMENT

It is specifically contended in para 22 of the counter affidavit on behalf of the first respondent that the first respondent is not 'State' or 'other authority' within the meaning of the expression under Article 12 of the Constitution and the proper remedy of the petitioner is to file a civil suit challenging her alleged illegal termination. In the wake of that plea in the counter affidavit, learned counsel for the petitioner sought leave to withdraw this writ petition without prejudice to the right to sue the respondents before the civil court.

Leave as sought for by the petitioner is granted and the writ petition is dismissed as withdrawn without prejudice to the right, if any, of the petitioner to move the civil court for reliefs in accordance with law.

Sd/-

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.

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THOTTATHIL B. RADHAKRISHNAN, J

W.P(C).NO.17186 OF 2003

JUDGMENT

21st JUNE, 2007.

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